

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SIMON PROPERTY GROUP, INC.,
SIMON PROPERTY GROUP, L.P.,
NORTHGATE MALL PARTNERSHIP, and
SHOPPING CENTER ASSOCIATES,

Plaintiffs,

v.

MARK M. PALOMBARO,
ABBY, INC.,
ROBERT E. CRAWFORD,
R.E. CRAWFORD CONSTRUCTION, INC.,
MATTHEW W. PADGETT,
JOEL D. SENCHUR,
DREAM BUILDERS AND DESIGNERS, LLC,
JEFFREY T. SMITH,
R.E. CRAWFORD CONSTRUCTION, LLC,
PARAGON BUILDERS, LLC,
J.A.C. CONSTRUCTION CONSULTING, LLC,
and JEFFREY A. USELTON,

Defendants.

Civil Action No. 2:08-cv-01634

Hon. Gary L. Lancaster

ORDER OF COURT

AND NOW, to-wit, this 16th day of April, 2010, it is hereby ORDERED,

ADJUSTED AND DECREED that this civil action (and all claims and counterclaims) is dismissed with prejudice as to Defendants R. E. Crawford Construction, Inc., R.E. Crawford Construction, LLC, Robert E. Crawford, Matthew W. Padgett, Joel D. Senchur, Dream Builders and Designers, LLC, Jeffrey T. Smith, Paragon Builders, LLC, J.A.C. Construction Consulting, LLC, and Jeffrey A. Uselton only, each party to bear its own costs and fees, and further that this

Court shall retain jurisdiction of this action and such parties for the purpose of interpreting and enforcing the Settlement Agreement of and between such parties. Nothing herein shall stay or dismiss the Plaintiffs' claims against Mark Palombaro or Abby, Inc.

Chief U. S. District Judge